

scribed their names, at Austin, Texas,  
this the 26th day of August, 1929.

**OKLAHOMA JOINT LEGISLATIVE  
COMMITTEE.**

By .....  
Chairman.  
Attest:  
.....  
Secretary.

**TEXAS JOINT LEGISLATIVE  
COMMITTEE.**

By .....  
Chairman.  
Attest:  
.....  
Secretary.

**THIRTEENTH DAY.**

(Tuesday, February 11, 1930.)

The House met at 9:45 o'clock a. m.,  
pursuant to adjournment, and was  
called to order by Speaker Barron.

The roll was called and the following  
members were present:

Mr. Speaker.	Graves
Acker.	of Williamson.
Ackerman.	Graves of Erath.
Adkins.	Hardy.
Albritton.	Harding.
Allred.	Harman.
Anderson.	Harrison.
Avis.	Heaton.
Baker.	Hines.
Baldwin.	Holder.
Barnett.	Hopkins.
Bateman.	Hornaday.
Beck.	Hubbard.
Bond.	Jenkins.
Bounds.	Johnson
Bradley.	of Dallam.
Brice.	Johnson
Brooks.	of Dimmit.
Chastain.	Johnson of Scurry.
Coltrin.	Jones.
Conway.	Justiss.
Cox of Lamar.	Keeton.
Cox of Limestone.	Keller.
Davis.	Kennedy.
DeWolfe.	Kincaid.
Dunlap.	King.
Duvall.	Kinnear.
Enderby.	Land.
Farrar.	Lee.
Finn.	Lemens.
Finlay.	Long of Houston.
Forbes.	Long of Wichita.
Fuchs.	Loy.
Gates.	Magee.
Gilbert.	Mankin.
Giles.	Marks.

Mauritz.	Sanders.
Maynard.	Shaver.
McCombs.	Shelton.
McDonald.	Sherrill.
McGill.	Simmons.
Mehl.	Sinks.
Metcalfe.	Snelgrove.
Minor.	Speck.
Moore.	Stephens.
Morse.	Stevenson.
Murphy.	Storey.
Negley.	Tarwater.
Nicholson.	Terrell.
Olsen.	Tillotson.
Palmer.	Turner.
Patterson.	Van Zandt.
Pavlica.	Veatch.
Petsch.	Waddell.
Pope of Jones.	Wallace.
Pope of Nueces.	Walters.
Purl.	Warwick.
Quinn.	Webb.
Ray.	West.
Reader.	Wiggs.
Renfro.	Williams
Richardson.	of Hardin.
Riley.	Woodruff.
Rogers.	Young.

**Absent.**

Eickenroht.	O'Neill.
Hefley.	Reid.
Hogg.	Thompson.
Kayton.	Williams
Montgomery.	of Travis.
Mullally.	

**Absent—Excused.**

Carpenter.	Pool.
Ewing.	Prendergast.
Harper.	Rountree.
Johnson of Smith.	Savage.
Kemble.	Strong.
Kenyon.	Westbrook.
Martin.	Williams
McKean.	of Sabine.
Mosely.	

A quorum was announced present.

Prayer was offered by Rev. J. C.  
Mitchell, Chaplain.

**LEAVES OF ABSENCE GRANTED.**

The following members were granted  
leaves of absence on account of impor-  
tant business:

Mr. Kemble for today and the bal-  
ance of the week, on motion of Mr.  
Morse.

Mr. Rountree for today, on motion of  
Mr. Metcalfe.

Mr. Mosely for today, on motion of  
Mr. Heaton.

Mr. Johnson of Smith for today, on  
motion of Mr. Enderby.

Mr. Williams of Travis for today, on motion of Mr. Riley.

The following members were granted leaves of absence on account of illness:

Mr. Savage for today and indefinitely, on motion of Mr. Webb.

Mr. Harper for today, on motion of Mr. Baker.

Mr. Williams of Sabine for today, on motion of Mr. Conway.

#### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Shaver:

H. B. No. 51. A bill to be entitled "An Act providing for the election and term of office of school trustees in all independent districts having more than 75,000 population by the Federal Census of 1920; adjusting the term of office of trustees now in office, and declaring an emergency."

Referred to Committee on Education.

By Mr. Webb:

H. B. No. 52. A bill to be entitled "An Act providing for the adoption for what is commonly known as the county unit of education in counties having a population of not less than two hundred nor more than three hundred, according to the census of 1920, providing for holding election to adopt county unit system, providing for a county board of education, etc., and declaring an emergency."

Referred to Committee on Education.

By Mr. Van Zandt and Mr. Metcalfe:

H. B. No. 53. A bill to be entitled "An Act amending Articles 7084, 7085, 7089, and repealing Articles 1538i, 7088, and 7090, Revised Civil Statutes, 1925, levying and imposing franchise taxes on domestic and foreign corporations, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Quinn, House bill No. 32 was ordered not printed.

On motion of Mr. Cox of Lamar, House bill No. 25 was ordered not printed.

On motion of Mr. Walters, House bill No. 42 was ordered not printed.

On motion of Mr. Anderson, House bill No. 29 was ordered not printed.

#### SPECIAL ORDER SET.

On motion of Mr. Purl, House bill No. 9 was set as a special order for 2 o'clock p. m. today.

#### RELATIVE TO ESTABLISHING CERTAIN CONFECTIONERY.

The Speaker laid before the House, for consideration at this time, House concurrent resolution No. 11, relative to establishing confectionery in the Land Office, the resolution having heretofore been read second time.

Mr. Woodruff moved that the resolution be laid on the table subject to call.

Mr. Loy moved to table the motion, and the motion was lost.

Question then recurring on the motion by Mr. Woodruff, it prevailed.

#### RELATIVE TO THE ERECTION OF STATE OFFICE BUILDINGS.

Mr. Hornaday offered the following resolution:

Whereas, It is believed that before any permanent buildings shall be constructed belonging to the State of Texas, the request for such building or buildings should be made in such manner and form that it must be considered by the appropriation committees of the House and Senate, or in any event must be allowed by said House and Senate in legislative session assembled; therefore be it

Resolved, That the House of Representatives of the State of Texas declares its unwavering faith and belief that to protect the best interest of the State, before any permanent building shall be erected for the State or purchased by the State, such erection or purchase shall be authorized by the Legislature of the State of Texas.

Signed—Hornaday, Brooks, Barnett, Graves of Erath, Sherrill, Brice, Avis, Bond, Ray, DeWolfe, Quinn, King, Farrar, McDonald.

The resolution was read second time.

Mr. McCombs moved to table the resolution.

Mr. Petsch raised a point of order on further consideration of the resolution on the ground that it is identical with a resolution heretofore defeated by the House.

The Speaker sustained the point of order.

**TO INVITE CERTAIN STATE OFFICIALS TO APPEAR BEFORE THE HOUSE.**

The Speaker laid before the House, for consideration at this time, resolution heretofore offered by Mr. Keller inviting the State Treasurer to appear before the House, the resolution having been read second time on yesterday.

Mr. Graves of Erath offered the following substitute for the resolution:

Whereas, The State Auditor, Mr. Moore Lynn, in a report which is now in the hands of members of the Legislature made accusations against the State Treasurer, Mr. W. G. Hatcher, to the effect that the State Treasurer, Mr. Hatcher, has conducted the office of State Treasurer in an irregular and unlawful way; and

Whereas, The State Treasurer, Mr. Hatcher, has written a statement denying said charges; and

Whereas, Mr. W. G. Hatcher has made a statement that he wishes to come before the Legislature and explain his acts as set forth in the Auditor's report; therefore be it

Resolved, That the Legislature invite Mr. Hatcher and the State Auditor or some member or members of the State Auditor's Department before the Legislature at 10:45 for the purpose of questioning the members of said department and hearing their explanations.

Signed—Graves of Erath, Kennedy, Albritton.

Mr. Sanders raised a point of order on further consideration of the resolution on the ground that it violates certain rules of the House in regard to the admittance of the heads of State departments to the floor of the House.

The Speaker sustained the point of order.

Mr. Keller moved that Sections 1, 2 and 3 of House Rule 28, which relates to admitting heads of the State departments to the floor of the House, be suspended at this time.

The motion was lost by the following vote, not receiving the necessary two-thirds vote:

Yeas—69.

Allred.	Cox of Limestone.
Anderson.	DeWolfe.
Barnett.	Enderby.
Bateman.	Forbes.
Beck.	Gates.
Bond.	Gilbert.
Bradley.	Graves
Brooks.	of Williamson.
Chastain.	Graves of Erath.

Hardy.	Pope of Nueces.
Harding.	Purl.
Harman.	Quinn.
Hines.	Ray.
Holder.	Renfro.
Hopkins.	Richardson.
Jenkins.	Riley.
Johnson	Rogers.
of Dallam.	Shaver.
Keller.	Shelton
Kincaid.	Speck.
King.	Stephens.
Kinnear.	Stevenson.
Long of Houston.	Storey.
Loy.	Tarwater.
Magee.	Terrell.
Mankin.	Tillotson.
Marks.	Turner.
Maynard.	Van Zandt.
McCombs.	Veatch.
McDonald.	Waddell.
Metcalfe.	Wallace.
Minor.	Warwick.
Olsen.	Webb.
Palmer.	Woodruff.
Patterson.	Young.
Pavlica.	

Nays—40.

Mr. Speaker.	Justiss.
Acker.	Kennedy.
Ackerman.	Lee.
Albritton.	Lemens.
Avis.	Mauritz.
Baldwin.	McGill.
Bounds.	Mehl.
Brice.	Moore.
Coltrin.	Morse.
Conway.	Murphy.
Cox of Lamar.	Negley.
Farrar.	Petsch.
Finlay.	Pope of Jones.
Fuchs.	Sanders.
Harrison.	Sherrill.
Heaton.	Simmons.
Hubbard.	Snelgrove.
Johnson	Walters.
of Dimmit.	West.
Johnson of Scurry.	Wiggs.
Jones.	

Present—Not Voting.

Giles.	Long of Wichita.
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Absent.

Adkins.	Montgomery.
Baker.	Mullally.
Davis.	Nicholson.
Dunlap.	O'Neill.
Duvall.	Reid.
Eickenroht.	Sinks.
Hefley.	Thompson.
Hogg.	Williams
Hornaday.	of Hardin.
Kayton.	Williams
Keeton.	of Travis.
Land.	

## Absent—Excused.

Carpenter.	Pool.
Ewing.	Prendergast.
Finn.	Reader.
Harper.	Rountree.
Johnson of Smith.	Savage.
Kemble.	Strong.
Kenyon.	Westbrook.
Martin.	Williams
McKean.	of Sabine.
Mosely.	

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, February 11, 1930.

Hon. W. S. Barron, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to  
inform the House that the Senate has  
passed:

S. C. R. No. 11, Requesting the House  
to return Senate bill No. 33 to the  
Senate for further consideration.

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

BILLS LAID ON THE TABLE SUB-  
JECT TO CALL.

On motion of Mr. Albritton, House  
bill No. 1 was laid on the table subject  
to call.

On motion of Mr. McCombs, House  
bills Nos. 1, 3, 5, 8 and 14 were laid on  
the table subject to call.

HOUSE BILL NO. 4 ON SECOND  
READING.

The Speaker laid before the House,  
on its second reading and passage to  
engrossment,

H. B. No. 4, A bill to be entitled  
"An Act amending Article 3936 of the  
1925 Revised Civil Statutes of the State  
of Texas, so as to change the fees of  
constables in justice of the peace courts  
so as to make them the same as the fees  
received by sheriffs in the justice of the  
peace courts, and declaring an emer-  
gency."

The bill was read second time and  
was passed to engrossment.

Mr. Keller moved to reconsider the  
vote by which the bill was passed to  
engrossment and to table the motion to  
reconsider.

The motion to table prevailed.

HOUSE BILL NO. 7 ON SECOND  
READING.

The Speaker laid before the House,  
on its second reading and passage to  
engrossment,

H. B. No. 7, A bill to be entitled  
"An Act to repeal Chapter 95, Acts of  
the First Called Session of the Forty-  
first Legislature, 1929, and declaring  
an emergency."

The bill was read second time.

(Mr. Johnson of Dimmit in the chair.)

Mr. Hardy offered the followig amend-  
ment to the bill:

Amend House bill No. 7 as follows:  
Change the period after the word "re-  
peal" in line twenty-one (21) to a semi-  
colon and add the following: "Pro-  
vided, however, that this act shall not  
affect the rights of any such parties  
who have prior to its passage filed suit  
for the collection of any such fee and  
now have such suits pending."

Mr. Beck, by unanimous consent,  
offered the following amendment to the  
amendment:

I ask unanimous consent that the  
amendment be amended by striking out  
the words "its passage" and substitute  
the words, "January 1, 1930."

The amendment to the amendment  
was adopted.

Mr. Van Zandt raised a point of order  
on further consideration of the bill,  
on the ground that the subject matter  
contained in the bill has not been sub-  
mitted by the Governor.

The Speaker declined to rule on the  
point of order, stating he would sub-  
mit the matter to the House for its  
decision.

The House overruled the point of  
order.

On motion of Mr. Long of Wichita,  
the amendment by Mr. Hardy was  
tabled.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, February 11, 1930.

Hon. W. S. Barron, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to  
inform the House that the Senate has  
passed

S. B. No. 55. A bill to be entitled  
"An Act to validate the extension of  
the corporate limits of cities having  
a population of not less than 11,000  
and not more than 11,500 according  
to the 1920 United States Census, and  
located in counties situated on a  
boundary of the State of Texas, either  
wherein said extension of territory was  
attempted under statutes providing for  
the consolidation of cities of more  
than 5000 population, and wherein in  
the act of extending said corporate

limits said city has included all of the territory of an adjoining city of less than 5000 and/or wherein said extension of territory was attempted under charter provisions which provide for the annexation of adjoining territory without specific reference to the fact that the adjoining territory is included in an incorporated city, and to validate all proceedings, actions, resolutions, elections, and ordinances taken or made in reference thereto or pursuant thereto, and declaring an emergency."

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

#### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

By Mr. Finlay, Mr. Coltrin and Mr. Lee:

H. B. No. 54, A bill to be entitled "An Act levying an occupation tax on persons, firms or corporations engaged in the occupation of maintaining billboards; defining the term billboard, maintaining billboards; tax so levied shall be 2 cents per square foot; authorizing tax collectors to collect tax."

Referred to Committee on Revenue and Taxation.

By Mr. Allred, Mr. Finlay and Mr. Shaver:

H. B. No. 55, A bill to be entitled "An Act to amend Article 6675a-1, Chapter 1, Title 116, Acts of the Forty-first Legislature, Second Called Session, Revised Civil Statutes, 1925, by adding subdivision "c" defining "farm trailer," and Article 6675a-2, Chapter 1, Title 116, by including "farm trailer" with those other vehicles exempted from license, and creating an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Bond:

H. B. No. 56, A bill to be entitled "An Act repealing all of Chapter Nine (9), including Sections 1, 2, 3, 4, 5 and 6, Acts of the Third Called Session of the Forty-first Legislature, and providing that in counties having a population of 41,100 to 41,500, according to the last Federal census, and a scholastic population of at least 10,755 as shown by the scholastic report for the last preceding school year, shall be exempt from holding a teachers' institute for

rural teachers and teachers of independent districts of less than 10,000 population and exempt such teachers from attendance upon a teachers' institute, and declaring an emergency."

Referred to Committee on Education.

By Mr. Hornaday, Mr. Graves of Williamson and Mr. Brooks:

H. B. No. 57, A bill to be entitled "An Act to promote the general welfare of the State and the security of the economic welfare of the State by the levy and collection of an annual license tax upon every person, firm or corporation engaged in the business of operating or maintaining in this State, under the same general management, supervision or ownership, one or more stores or mercantile establishments, where goods, wares and merchandise are offered for sale at retail."

Referred to Committee on Revenue and Taxation.

By Mr. Allred:

H. B. No. 58, A bill to be entitled "An Act to amend Article 1052, Chapter 3, Title 15, of the Code of Criminal Procedure, Revised Statutes of 1925, as amended by the Acts of the First Called Session of the Forty-first Legislature of the State of Texas, by changing that provision whereby a justice of the peace in counties of 20,000 population or less shall receive a fee of \$3 for each criminal action tried and disposed of before him; to provide that a justice of the peace in counties of 100,000 population or less shall receive \$3 for each criminal action tried and disposed of before him."

Referred to Committee on State Affairs.

By Mr. Pope of Nueces:

H. B. No. 59, A bill to be entitled "An Act to amend Chapter 8, Title 128, Revised Civil Statutes of Texas, by adding thereto Article 8197a, authorizing any district that may have availed itself of the provisions of Article 8195 and become a conservation and reclamation district, to issue bonds of said district for the purpose of refunding any indebtedness incurred prior to the time of such change, and to levy a tax in payment thereof, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Holder and Mr. Harman:

H. B. No. 60, A bill to be entitled "An Act to amend Article 7047, Revised

Civil Statutes of the State of Texas, 1925, providing for the levy of occupation taxes on and the collection from persons, firms, associations and companies pursuing the several occupations enumerated herein; repealing all laws and parts of laws in conflict herewith."

Referred to Committee on Revenue and Taxation.

#### RECESS.

On motion of Mr. Hardy, the House, at 12 o'clock m., took recess to 2:30 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2:30 o'clock p. m., and was called to order by the Speaker.

#### BILLS ORDERED NOT PRINTED.

(By Unanimous Consent.)

On motion of Mr. Murphy, the following bills were ordered not printed:

House bills Nos. 12, 21, 44, 37, and Senate bill No. 53.

Mr. Tillotson moved that the following bills, same being local bills, be not printed:

House bills Nos. 28, 38, 39 and 41.

The motion prevailed.

#### HOUSE BILL NO. 9 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 9, A bill to be entitled "An Act to amend Articles 2994, 3883, 3886, 3889, 3891, 3892, 3895, 3897, 3899, 3926, 3934, 7331 and 7332, of the Revised Civil Statutes of Texas for 1925 repealing Articles 3887, 3900, 3912 and 3932, of the Revised Civil Statutes of Texas for 1925, and all laws in conflict all of said amended and repealed articles relative to fees and compensation of county officers; providing any unconstitutional parts of this act shall not affect the remainder, declaring an emergency, and providing said act shall be come effective on January 1, 1931."

The bill was read second time.

On motion of Mr. Hubbard, further consideration of the bill was postponed until 10 o'clock a. m. tomorrow.

#### HOUSE BILL NO. 7 ON PASSAGE TO ENGROSSMENT.

The House resumed consideration of pending business, same being House bill

No. 7, relative to fees of constables, on its passage to engrossment.

Mr. Hornaday offered the following amendment to the bill:

Amend House bill No. 7 by striking out everything after the enacting clause and inserting in lieu thereof the following:

Section 1. That any person in the State of Texas who formerly served as a duly elected and qualified tax collector of any county of this State while subject in that capacity to the terms and provisions of the law known as the maximum fee bill, and collected subsequent to June 17, 1919, and prior to August 15, 1923, and has paid over to the treasurer of such county the fees and commissions set out and provided for in Section 3 of Chapter 147, Acts of the Regular Session of the Thirty-fourth Legislature, 1915, or any part of such fees and commissions, is hereby authorized to bring suit in any competent court of this State against such county so served by him to collect and recover all such fees and commissions so paid over by him, provided such suit shall be brought in the county where such fees and commissions were collected and erroneously or wrongfully paid over, as herein above set out.

Sec. 2. In the event such a claim for the amount due such person as defined in Section 1 of this act is filed with the commissioners court of any county, and said court is satisfied that the claim, or any part thereof, is correct, the said claim, or such portion thereof as may be approved as correct by such commissioners court, may be paid by such county without the necessity of court action.

Sec. 3. In case any such suit be brought against any county in this State for the purpose set out in Section 1 of this act, no plea of limitation shall be available to such county as a defense to any such suit, and in any cross-action filed by a county against the plaintiff in any suit authorized by this act for money due the county by the tax collector, the plea of limitation to such cross-action shall not be available to the plaintiff.

Sec. 4. All the laws and parts of laws in conflict with the provisions of this act are hereby repealed. If any section or provision of this act is declared unconstitutional, said act is hereby declared to be severable and said invalid provisions shall not affect the validity of the remaining provisions hereof.

Sec. 5. The fact that the Supreme

Court of Texas, in the case of Bitter vs. Bexar County, 11 S. W. (2d) 163, has held that Section 2, Chapter 64, of the Acts of the Second Called Session of the Thirty-sixth Legislature, 1919, is unconstitutional, and the further fact that many tax collectors, acting under said act, have erroneously paid money to some of the counties of this State, creates an emergency and a public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this bill be put on its third reading and final passage, and it is so enacted.

Mr. Beck moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—95.

Mr. Speaker.	Keeton.
Acker.	Kennedy.
Ackerman.	Kincaid.
Adkins.	King.
Albritton.	Kinnear.
Allred.	Land.
Anderson.	Long of Wichita.
Avis.	Loy.
Baker.	Magee.
Barnett.	Mankin.
Bateman.	Marks.
Beck.	Mauritz.
Bounds.	Maynard.
Bradley.	McCombs.
Brice.	Minor.
Carpenter.	Moore.
Chastain.	Morse.
Coltrin.	Murphy.
Conway.	Negley.
Cox of Lamar.	Olsen.
Cox of Limestone.	Palmer.
Davis.	Patterson.
Enderby.	Pavlica.
Farrar.	Pope of Nueces.
Forbes.	Purl.
Fuchs.	Quinn.
Gates.	Ray.
Giles.	Reader.
Graves of Erath.	Renfro.
Hardy.	Richardson.
Harding.	Sherrill.
Harman.	Simmons.
Heaton.	Sinks.
Hines.	Snelgrove.
Hogg.	Speck.
Holder.	Stephens.
Jenkins.	Stevenson.
Johnson	Storey.
of Dallam	Tarwater.
Johnson	Terrell.
of Dimmit.	Tillotson.
Johnson of Scurry.	Turner.
Justiss.	Van Zandt.
Kayton.	Veatch.

Waddell.  
Wallace.  
Walters.  
Warwick.  
West.

Wiggs.  
Williams  
of Hardin.  
Woodruff.  
Young.

Nays—10.

Brooks.  
DeWolfe.  
Eickenroht.  
Gilbert.  
Graves  
of Williamson.

Hornaday.  
Hubbard.  
Jones.  
Rogers.  
Shaver.

Absent.

Baldwin.	Metcalfe.
Bond.	Montgomery.
Dunlap.	Mullally.
Duvall.	Nicholson.
Finlay.	O'Neill.
Harrison.	Petsch.
Hefley.	Pool.
Hopkins.	Pope of Janes.
Keller.	Reid.
Lee.	Riley.
Lemens.	Sanders.
Long of Houston.	Shelton.
McDonald.	Thompson.
McGill.	Webb.
Mehl.	

Absent—Excused.

Ewing.	Prendergast.
Finn.	Rountree.
Harper.	Savage.
Johnson of Erath.	Strong.
Kemble.	Westbrook.
Kenyon.	Williams
Martin.	of Sabine.
McKean.	Williams
Mosely.	of Travis.

House bill No. 7 was then passed to engrossment.

#### HOUSE BILL NO. 7 ON THIRD READING.

Mr. Long of Wichita moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 7 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.	Barnett.
Acker.	Bateman.
Ackerman.	Beck.
Adkins.	Bounds.
Albritton.	Bradley.
Allred.	Brice.
Anderson.	Carpenter.
Avis.	Chastain.
Baker.	Coltrin.

Conway.	Moore.
Cox of Lamar.	Morse.
Cox of Limestone.	Murphy.
Davis.	Negley.
Enderby.	Olsen.
Farrar.	Palmer.
Forbes.	Patterson.
Fuchs.	Pavlica.
Gates.	Pope of Nueces.
Gilbert.	Purl.
Giles.	Quinn.
Graves	Ray.
of Williamson.	Reader.
Graves of Erath.	Renfro.
Hardy.	Richardson.
Harding.	Riley.
Harman.	Rogers.
Harper.	Sanders.
Hines.	Shaver.
Hogg.	Sherrill.
Holder.	Simmons.
Jenkins.	Sinks.
Johnson	Snelgrove.
of Dallam	Speck.
Johnson	Stephens.
of Dimmit.	Stevenson.
Johnson of Scurry.	Storey.
Justiss.	Tarwater.
Keeton.	Terrell.
Kennedy.	Tillotson.
Kincaid.	Turner.
King.	Van Zandt.
Kinnear.	Veatch.
Land.	Waddell.
Lemens.	Wallace.
Long of Wichita.	Walters.
Loy.	Warwick.
Magee.	Webb.
Mankin.	West.
Marks.	Wiggs.
Mauritz.	Woodruff.
McDonald.	Young.
Minor.	

## Nays—7.

Brooks.	Hubbard.
DeWolfe.	Jones.
Eickenroht.	Williams
Hornaday.	of Hardin.

## Present—Not Voting.

Harrison.	Maynard.
Heaton.	

## Absent.

Baldwin.	Mehl.
Bond.	Metcalf.
Dunlap.	Montgomery.
Duvall.	Mullally.
Finlay.	Nicholson.
Hefley.	O'Neill.
Hopkins.	Petsch.
Kayton.	Pool.
Keller.	Pope of Janes.
Lee.	Reid.
Long of Houston.	Shelton.
McCombs.	Thompson.
McGill.	

## Absent—Excused.

Ewing.	Rountree.
Finn.	Savage.
Johnson of Smith.	Strong.
Kemble.	Westbrook.
Kenyon.	Williams
Martin.	of Sabine.
McKean.	Williams
Mosely.	of Travis.
Prendergast.	

The Speaker then laid House bill No. 7 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—101.

Mr. Speaker.	Kinnear.
Acker.	Land.
Ackerman.	Lemens.
Adkins.	Long of Houston.
Albritton.	Long of Wichita.
Allred.	Loy.
Anderson.	Magee.
Avis.	Mankin.
Baker.	Marks.
Barnett.	Mauritz.
Bateman.	McCombs.
Beck.	McGill.
Bounds.	Mehl.
Bradley.	Minor.
Brice.	Moore.
Carpenter.	Morse.
Chastain.	Murphy.
Coltrin.	Negley.
Conway.	Olsen.
Cox of Lamar.	Palmer.
Cox of Limestone.	Patterson.
Davis.	Pavlica.
DeWolfe.	Pope of Nueces.
Enderby.	Purl.
Eickenroht.	Quinn.
Farrar.	Ray.
Forbes.	Reader.
Fuchs.	Renfro.
Gilbert.	Richardson.
Giles.	Rogers.
Graves of Erath.	Sanders.
Hardy.	Savage.
Harman.	Sherrill.
Hines.	Simmons.
Hogg.	Sinks.
Holder.	Snelgrove.
Jenkins.	Speck.
Johnson	Stephens.
of Dallam	Stevenson.
Johnson	Storey.
of Dimmit.	Tarwater.
Johnson of Scurry.	Terrell.
Justiss.	Tillotson.
Keeton.	Turner.
Kennedy.	Van Zandt.
Kincaid.	Veatch.
King.	Waddell.



Wallace.	Wiggs.
Walters.	Williams
Warwick.	of Hardin.
Webb.	Woodruff.
West.	Young.

Nays—6.

Brooks.	Heaton.
Graves	Hornaday.
of Williamson.	Riley.
Harrison.	

Present—Not Voting.

Maynard.

Absent.

Baldwin.	Lee.
Bond.	McDonald.
Dunlap.	Metcalfe.
Duvall.	Montgomery.
Finlay.	Mullally.
Gates.	Nicholson.
Harding.	O'Neill.
Hefley.	Petsch.
Hopkins.	Pool.
Hubbard.	Pope of Jones.
Jones.	Reid.
Kayton.	Shelton.
Keller.	Thompson.

Absent—Excused.

Ewing.	Prendergast.
Finn.	Rountree.
Harper.	Shaver.
Johnson of Smith.	Strong.
Kemble.	Westbrook.
Kenyon.	Williams
Martin.	of Sabine.
McKean.	Williams
Mosely.	of Travis.

Mr. McCombs moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 10 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 10, A bill to be entitled "An Act to provide that the Texas Prison Board shall arrange for schools in all of the penitentiaries and penitentiary farms of the State of Texas; providing for compulsory instruction of illiterates and hours of attendance that credit shall be given on sentence for attendance and instruction in such schools; that the chaplains shall be charged with the duty of organizing and supervising such schools; that instructors shall be prisoners as far as

practicable, and that the Texas Prison Board shall make rules and regulations making effective the provisions of this act."

The bill was read second time.

(Mr. Holder in the chair.)

Mr. Allred offered the following amendment to the bill:

Amend House bill No. 10 by striking out the word "eighth" in line 22 and substituting therefor the word "seventh."

Signed—Allred, Harrison.

The amendment was adopted.

Mr. Wiggs offered the following amendment to the bill:

Amend House bill No. 10 by adding after the word "illiterate," line 23, on page 1, the following, "25 years of age or under."

Mr. Purl offered the following substitute for the amendment by Mr. Wiggs:

Amend House bill No. 10 by adding between the lines "illiterates" the following, "convicts under 30 years of age."

(Speaker in the chair.)

Mr. Patterson moved the previous question on the pending amendments and the bill, and the main question was ordered.

Question first recurring on the substitute amendment by Mr. Purl, yeas and nays were demanded.

The substitute amendment was lost by the following vote:

Yeas—49.

Mr. Speaker.	Johnson
Ackerman.	of Dallam
Albritton.	Johnson
Allred.	of Dimmit.
Baker.	Jones.
Barnett.	Loy.
Beck.	Magee.
Bond.	Marks.
Bounds.	McCombs.
Bradley.	McGill.
Brooks.	Metcalfe.
Carpenter.	Moore.
Conway.	Morse.
Cox of Lamar.	Pope of Jones.
Davis.	Purl.
Enderby.	Ray.
Gates.	Rogers.
Graves	Shaver.
of Williamson.	Sherrill.
Graves of Erath.	Simmons.
Harman.	Snelgrove.
Harrison.	Speck.
Holder.	Tarwater.
Jenkins.	Terrell.

Tillotson.  
Waddell.

Wallace.  
Warwick.

The amendment was adopted by the following vote:

Nays—55.

Yeas—74.

Adkins.	McDonald.
Avis.	Mehl.
Bateman.	Murphy.
Chastain.	Negley.
Coltrin.	Nicholson.
Cox of Limestone.	Olsen.
Eickenroht.	Palmer.
Farrar.	Patterson.
Finlay.	Pavlica.
Forbes.	Pope of Nueces.
Fuchs.	Quinn.
Giles.	Reader.
Harding.	Renfro.
Hines.	Richardson.
Hopkins.	Riley.
Hornaday.	Sinks.
Johnson of Scurry.	Stephens.
Justiss.	Storey.
Kayton.	Turner.
Kennedy.	Van Zandt.
Kincaid.	Veatch.
King.	Walters.
Kinnear.	West.
Land.	Wiggs.
Lee.	Williams
Lemens.	of Hardin.
Long of Houston.	Woodruff.
Mankin.	Young.

Present—Not Voting.

Mauritz.

Absent.

Acker.	Long of Wichita.
Anderson.	Maynard.
Baldwin.	Minor.
Brice.	Montgomery.
DeWolfe.	Mullally.
Dunlap.	O'Neill.
Duvall.	Petsch.
Gilbert.	Pool.
Hardy.	Reid.
Heaton.	Sanders.
Hefley.	Shelton.
Hogg.	Stevenson.
Hubbard.	Thompson.
Keeton.	Webb.
Keller.	

Absent—Excused.

Ewing.	Prendergast.
Finn.	Rountree.
Harper.	Savage.
Johnson of Smith.	Strong.
Kemble.	Westbrook.
Kenyon.	Williams
Martin.	of Sabine.
McKean.	Williams
Mosely.	of Travis.

Question then recurring on the amendment by Mr. Wiggs, yeas and nays were demanded.

Mr. Speaker.	Long of Houston.
Ackerman.	Loy.
Adkins.	Magee.
Albritton.	Mankin.
Allred.	Marks.
Avis.	Mauritz.
Baker.	Maynard.
Barnett.	McGill.
Beck.	Mehl.
Bond.	Metcalfe.
Brooks.	Minor.
Carpenter.	Moore.
Coltrin.	Negley.
Conway.	Nicholson.
Cox of Lamar.	Palmer.
Davis.	Patterson.
Enderby.	Pope of Jones.
Finlay.	Purl.
Fuchs.	Ray.
Gates.	Renfro.
Giles.	Riley.
Graves	Rogers.
of Williamson.	Shaver.
Graves of Erath.	Sherrill.
Harman.	Simmons.
Heaton.	Snelgrove.
Hines.	Speck.
Holder.	Stephens.
Hopkins.	Stevenson.
Jenkins.	Tarwater.
Johnson	Terrell.
of Dallam	Tillotson.
Johnson	Van Zandt.
of Dimmit.	Waddell.
Keeton.	Warwick.
Kennedy.	West.
Kincaid.	Wiggs.
King.	Young.
Land.	

Nays—36.

Bateman.	McDonald.
Bounds.	Morse.
Bradley.	Murphy.
Chastain.	Olsen.
Cox of Limestone.	Pavlica.
Eickenroht.	Pope of Nueces.
Farrar.	Quinn.
Forbes.	Reader.
Harding.	Richardson.
Harrison.	Sinks.
Hornaday.	Storey.
Johnson of Scurry.	Turner.
Jones.	Veatch.
Justiss.	Wallace.
Kayton.	Walters.
Kinnear.	Williams
Lee.	of Hardin.
Lemens.	Woodruff.
McCombs.	

Absent.

Acker.	Anderson.
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Baldwin.	Long of Wichita.
Brice.	Montgomery.
DeWolfe.	Mullally.
Dunlap.	O'Neill.
Duvall.	Petsch.
Gilbert.	Pool.
Hardy.	Reid.
Hefley.	Sanders.
Hogg.	Shelton.
Hubbard.	Thompson.
Keller.	Webb.

Absent—Excused.

Ewing.	Prendergast.
Finn.	Rountree.
Harper.	Savage.
Johnson of Smith.	Strong.
Kemble.	Westbrook.
Kenyon.	Williams
Martin.	of Sabine.
McKean.	Williams
Mosely.	of Travis.

House bill No. 10 was then passed to engrossment by the following vote:

Yeas—60.

Mr. Speaker.	Keeton.
Ackerman.	Kinnear.
Adkins.	Land.
Allred.	Lee.
Baker.	Loy.
Barnett.	Magee.
Beck.	Marks.
Bond.	Maynard.
Bradley.	McCombs.
Carpenter.	Mehl.
Coltrin.	Metcalf.
Conway.	Minor.
Cox of Lamar.	Moore.
Davis.	Morse.
Duvall.	Murphy.
Enderby.	Pope of Jones.
Finlay.	Purl.
Forbes.	Ray.
Gates.	Riley.
Graves of Erath.	Rogers.
Harman.	Simmons.
Harrison.	Stevenson.
Holder.	Tarwater.
Hornaday.	Terrell.
Jenkins.	Tillotson.
Johnson	Van Zandt.
of Dallam	Waddell.
Johnson	Wallace.
of Dimmit.	Warwick.
Jones.	West.
Justiss.	Young.
Kayton.	

Nays—43.

Albritton.	Chastain.
Avis.	Eickenroht.
Bateman.	Farrar.
Bounds.	Fuchs.
Brooks.	Giles.

Graves	Pavlica.
of Williamson.	Pope of Nueces.
Harding.	Quinn.
Heaton.	Richardson.
Hines.	Shaver.
Hopkins.	Sherrill.
Johnson of Scurry.	Sinks.
Kennedy.	Snelgrove.
Lemens.	Speck.
Long of Houston.	Stephens.
Mankin.	Storey.
McDonald.	Turner.
McGill.	Veatch.
Negley.	Walters.
Nicholson.	Wiggs.
Olsen.	Williams
Palmer.	of Hardin.
Patterson.	Woodruff.

Present—Not Voting.

Kincaid.	Mauritz.
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Absent.

Acker.	Long of Wichita.
Anderson.	Montgomery.
Baldwin.	Mullally.
Brice.	O'Neill.
Cox of Limestone.	Petsch.
DeWolfe.	Pool.
Dunlap.	Reader.
Gilbert.	Reid.
Hardy.	Renfro.
Hefley.	Sanders.
Hogg.	Shelton.
Hubbard.	Thompson.
Keller.	Webb.
King.	

Absent—Excused.

Ewing.	Prendergast.
Finn.	Rountree.
Harper.	Savage.
Johnson of Smith.	Strong.
Kemble.	Westbrook.
Kenyon.	Williams
Martin.	of Sabine.
McKean.	Williams
Mosely.	of Travis.

Mr. Purl moved to reconsider the vote by which the bill was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

#### MOTION TO TAKE UP HOUSE BILL NO. 10.

Mr. Harrison moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 10 be placed on its third reading and final passage.

The motion was lost by the following vote, not receiving the necessary four-fifths vote:

## Yeas—72.

Mr. Speaker.	Long of Houston.
Ackerman.	Loy.
Adkins.	Magee.
Allred.	Marks.
Baker.	Maynard.
Barnett.	McCombs.
Beck.	McDonald.
Bond.	McGill.
Bradley.	Mehl.
Carpenter.	Metcalfe.
Chastain.	Minor.
Coltrin.	Moore.
Conway.	Morse.
Cox of Lamar.	Murphy.
Cox of Limestone.	Olsen.
Davis.	Pope of Jones.
Duvall.	Purl.
Enderby.	Ray.
Finlay.	Reader.
Forbes.	Renfro.
Giles.	Riley.
Graves of Erath.	Rogers.
Harman.	Shaver.
Harrison.	Simmons.
Holder.	Stevenson.
Hornaday.	Tarwater.
Johnson	Terrell.
of Dallam	Tillotson.
Johnson	Van Zandt.
of Dimmit.	Waddell.
Jones.	Wallace.
Kayton.	Warwick.
Keeton.	West.
Kincaid.	Wiggs.
King.	Williams
Kinnear.	of Hardin.
Land.	Young.
Lee.	

## Nays—35.

Albritton.	Mankin.
Avis.	Negley.
Bateman.	Nicholson.
Bounds.	Palmer.
Brooks.	Pavlica.
Eickenroht.	Pope of Nueces.
Farrar.	Quinn.
Fuchs.	Richardson.
Graves	Sherrill.
of Williamson.	Sinks.
Harding.	Snelgrove.
Heaton.	Speck.
Hines.	Stephens.
Hopkins.	Storey.
Johnson of Scurry.	Turner.
Justiss.	Veatch.
Kennedy.	Walters.
Lemens.	Woodruff.

## Present—Not Voting.

Mauritz.

## Absent.

Acker.	Baldwin.
Anderson.	Brice.

DeWolfe.	Montgomery.
Dunlap.	Mullally.
Gates.	O'Neill.
Gilbert.	Patterson.
Hardy.	Petsch.
Hefley.	Pool.
Hogg.	Reid.
Hubbard.	Sanders.
Jenkins.	Shelton.
Keller.	Thompson.
Long of Wichita.	Webb.

## Absent—Excused.

Ewing.	Prendergast.
Finn.	Rountree.
Harper.	Savage.
Johnson of Smith.	Strong.
Kemble.	Westbrook.
Kenyon.	Williams
Martin.	of Sabine.
McKean.	Williams
Mosely.	of Travis.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, February 11, 1930.

Hon. W. S. Barron, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to  
inform the House that the Senate has  
passed

S. B. No. 16, A bill to be entitled  
"An Act providing that the Supreme  
Court and Courts of Civil Appeals of  
this State shall have original jurisdic-  
tion in the matter of issuing the writ  
of mandamus or any other mandatory  
or compulsory writ or process to compel  
the performance by any chairman or  
member of any executive committee, or  
primary committee, or primary elec-  
tion officer of any party, of any duty  
imposed upon them, respectively, by the  
laws of this State, and making this act  
cumulative of all other laws affecting  
its subject-matter, and declaring an  
emergency."

S. B. No. 14, A bill to be entitled  
"An Act to authorize the Commissioner  
of the General Land Office to accept and  
award all applications for the repur-  
chase of public school land located in  
Montgomery county, Texas, forfeited  
and reappraised under Chapter 94, an act  
approved March 19, 1925, and as amended  
by Chapter 25, an act approved October  
27, 1926, for which applications or the  
first payment therefor were filed in the  
Land Office after the expiration of the  
time allowed by law for the filing  
thereof, but for which applications and  
the first payment were so filed; such  
acceptances and award to be subject to  
existing rights of any third party who

may have filed oil and gas applications thereon."

S. B. No. 51, A bill to be entitled "An Act to create Maverick County Water Control and Improvement District No. 1, embracing lands in the county of Maverick, in the State of Texas, as a conservation and reclamation district and body politic and corporate under Section 59, Article 16, of the Constitution, and defining its boundaries; validating and approving all orders made by the board of directors and other authorities in respect to the establishment or organization of said district, as well as proceedings had in respect of the election and/or appointment of officers therefor; validating and approving all orders made and contracts executed by the board of directors of said district in respect to any matter or subject pertinent to the creation, establishment, organization, maintenance and/or operation of said district; validating the authorization and voting of certain bonds thereof and taxes authorized for their payment; and providing for the issuance of said bonds and for their payment by the annual levy, assessment and collection of taxes upon all taxable property in said district; validating and approving notices, reports, orders, resolutions, extensions and decrees of the board of directors and other proper officials, and official boards and/or courts in respect of said district; the bonds and/or taxes thereof, or certified copies thereof, and constituting such orders, reports, notices, resolutions and decrees as legal evidence; enacting other provisions incident and necessary to the subject and purpose of this act, and declaring an emergency."

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, February 11, 1930.  
Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed:

S. B. No. 11, A bill to be entitled "An Act amending Article 1052, Title 15, Chapter 3, of the Code of Criminal Procedure of Texas of 1925, as amended by Chapter 55, General and Special Laws, First Called Session, Forty-first Legislature, so as to increase the amount of the fee of each justice of the peace

for each criminal action tried and finally disposed of before him, and declaring an emergency."

S. B. No. 22, A bill to be entitled "An Act providing for a county depository for trust funds in the possession of county and district clerks; providing the manner of selection and designation of same and paying out said funds and liability of depository for failure to pay checks drawn on said funds; requiring depositories to receive deposits of said funds and pay checks on same at the county seat; authorizing the commissioners court to require a new bond of depositories; relieving county and district clerks from liability for said funds upon deposit of same in the depository; making the county liable for the loss of any funds placed in the depository; requiring county and district clerks having custody of money for more than three days deposited in court to abide the result of any legal proceeding to deposit same in the depository; providing manner of carrying accounts in the depository and withdrawing same; providing manner of holding trust funds in counties not having a depository for trust funds; prescribing penalties for violation of the act, declaring an emergency, and providing that the same shall become effective on February 10, 1931."

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

#### SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 11, to the Committee on State Affairs.  
Senate bill No. 16, to the Committee on Judiciary.  
Senate bill No. 14, to the Committee on Public Lands and Buildings.  
Senate bill No. 22, to the Committee on Banks and Banking.  
Senate bill No. 51, to the Committee on Conservation and Reclamation.  
Senate bill No. 55, to the Committee on Municipal and Private Corporations.

#### BILLS ORDERED NOT PRINTED.

(By Unanimous Consent.)

On motion of Mr. Johnson of Dimmit, Senate bill No. 51 was ordered not printed.

On motion of Mr. Hubbard, Senate bill No. 55 was ordered not printed.

### RELATIVE TO SELECTING COURT REPORTERS IN IMPEACHMENT HEARING.

Mr. Sanders offered the following resolution:

Whereas, There has been filed and passed on February 10, 1930, a resolution by Joseph McGill, Alfred Petsch and Coke R. Stevenson, members of the House of Representatives of the Fourth Called Session of the Forty-first Legislature, providing for the appointment of certain officers, employment of stenographers and other things incident to the proposed impeachment proceedings, one provision of said resolution being as follows:

"That the Speaker shall appoint stenographers to take down the proceedings of the hearing, and the same shall be paid for at the regular rates charged by court reporters." And

Whereas, It is evident that the Speaker will not be able to secure competent stenographers in accordance with this provision; now, therefore, be it

Resolved, That the Speaker of the House of Representatives be authorized to receive sealed bids from competent stenographers for the purpose of taking down the proceedings of the hearing and properly transcribing the same, said bids to be on the basis that said stenographers are to furnish all supplies, paper, carbon, notebooks, etc., and such bids shall be submitted to the House of Representatives for its consideration and approval or rejection.

The resolution was read second time, and was adopted.

### ADJOURNMENT.

Mr. Holder moved that the House adjourn until 10 o'clock a. m. tomorrow.

Mr. Quinn moved that the House adjourn until 9 o'clock a. m. tomorrow.

Mr. Kennedy moved that the House adjourn until 9:30 o'clock a. m. tomorrow.

The motion of Mr. Holder prevailed, and the House accordingly, at 5:45

o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

### APPENDIX.

#### STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills as follows:

Education: House bills Nos. 25 and 43.

Municipal and Private Corporations: House bill No. 37.

Judicial Districts: House bill No. 32.

#### REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, February 11, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 4, A bill to be entitled "An Act amending Article 3936 of the 1925 Revised Civil Statutes of the State of Texas, so as to change the fees of constables in justice of the peace courts so as to make them the same as the fees received by sheriffs in the justice of the peace courts, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, February 11, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 2, A bill to be entitled "An Act to provide for the better organization and more efficient operations of the Texas prison system; to provide for the establishment and development of practicable and advantageous industries in connection with the prison system, etc., and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

In Memory  
of  
Dr. John Beall Smith

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Mr. Long of Houston offered the following resolution:

Whereas, At an early hour on Saturday morning, February 8, 1930, in the city of Crockett, the patriotic, noble and efficient life of Dr. John Beall Smith came to its eventful close as peacefully as the quietness of night fades away for the day; and

Whereas, He served with honor and distinction in the House of Representatives of the Thirty-second Legislature, representing the Thirtieth Legislative District of Texas, composed of Houston county and for over eighty years yielded his wisdom and contributed unselfishly of his time and rare talents in the upbuilding and stabilizing of our present political, social and moral structure; and

Whereas, His father John T. Smith came to Texas and Houston county in 1828 with many others of the liberty-loving pioneer families of East Texas and served his State faithfully in the First, Thirteenth and Fourteenth Sessions of the Legislature; and

Whereas, Dr. John Beall Smith was a gentleman by birth, breeding and education and had imbibed the splendid social and political traditions of his beloved Southland and had always reflected that loyalty and devotion from earliest manhood until the end; and

Whereas, He gave freely his unreserved allegiance to the precepts and teachings of the Great Teacher and early affiliated himself with the Presbyterian Church, in which field he humbly bowed, worshipped and taught at the foot of that cross where he found peace with the lowliest as well as the loftiest of the sons of man; therefore, we the signers of this resolution and others who are privileged to follow in his footsteps, request that this memorial be entered in the Journal of the House of Representatives, and that the clerk forward a copy thereof to the family of this splendid citizen, soldier, and statesman, whose worthy memory it will serve to commemorate; and be it further

Resolved, That when the House adjourns today it will be in memory of Dr. Smith.

Signed—Long of Houston, Palmer, Turner, Shaver, Sanders, Murphy.

The resolution was read second time and was adopted by a rising vote.

**In Memory**  
**of**  
**Hon. Eugene S. Nordhaus**

---

Mr. Anderson offered the following resolution:

Whereas, The Omnipotent of the universe has seen fit to call from our midst to his eternal reward the Honorable Eugene S. Nordhaus, a former distinguished member of the House of Representatives of the State of Texas from Bexar county; and

Whereas, In the death of the Honorable Eugene S. Nordhaus this State has suffered an irreparable loss; the community wherein he lived has lost a most useful citizen, and his family has lost a loving and faithful father and husband; therefore, be it

Resolved by the House of Representatives of the State of Texas, That we extend our sincere sympathy to his relatives and numerous friends, and that a page of today's Journal be set aside in memory of Mr. Nordhaus, and that when the House adjourns today it be in respect to him; and be it further

Resolved, That the Chief Clerk be and is hereby instructed to send a copy of this resolution to the members of his family.

Signed—Anderson, Barron, Speaker; Acker, Ackerman, Adkins, Albritton, Allred, Avis, Baker, Baldwin, Barnett, Bateman, Beck, Bond, Bounds, Bradley, Brice, Brooks, Carpenter, Chastain, Coltrin, Conway, Cox of Lamar, Cox of Limestone, Davis, DeWolfe, Dunlap, Duvall, Enderby, Ewing, Eickenroht, Farrar, Finn, Finlay, Forbes, Fuchs, Gates, Gilbert, Giles, Graves of Williamson, Graves of Erath, Hardy, Harding, Harman, Harper, Harrison, Heaton, Hefley, Hines, Hogg, Holder, Hopkins, Hornaday, Hubbard, Jenkins, Johnson of Dallam, Johnson of Dimmit, Johnson of Smith, Johnson of Scurry, Jones, Justiss, Kayton, Keeton, Keller, Kemble, Kennedy, Kenyon, Kincaid, King, Kinnear, Land, Lee, Lemens, Long of Houston, Long of Wichita, Loy, Magee, Mankin, Marks, Martin, Mauritz, Maynard, McCombs, McDonald, McGill, McKean, Mehl, Metcalfe, Minor, Montgomery, Moore, Morse, Mosely, Mullally, Murphy, Negley, Nicholson, Olsen, O'Neill, Palmer, Patterson, Pavlica, Petsch, Pool, Pope of Jones, Pope of Nueces, Prendergast, Purl, Quinn, Ray, Reader, Reid, Renfro, Richardson, Riley, Rogers, Rountree, Sanders, Savage, Shaver, Shelton, Sherrill, Simmons, Sinks, Snelgrove, Speck, Stephens, Stevenson, Storey, Strong, Tarwater, Terrell, Thompson, Tillotson, Turner, Van Zandt, Veatch, Waddell, Wallace, Walters, Warwick, Webb, West, Westbrook, Wiggs, Williams of Sabine, Williams of Hardin, Williams of Travis, Woodruff, Young.

The resolution was read second time and was adopted by a rising vote.